

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG

**WILLIAM LEE GRANT, II,**

Plaintiff,

v.

**CIVIL ACTION NO.: 3:19-CV-96  
(GROH)**

**GREGORY K. HARRIS, AUSA,  
and JOINT CHIEFS OF STAFF,**

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Now before the Court is a Report and Recommendation ("R&R") issued by United States Magistrate Judge Robert W. Trumble. ECF No. 5. Pursuant to this Court's Local Rules, this action was referred to Magistrate Judge Trumble for submission of an R&R. On June 19, 2019, Magistrate Judge Trumble issued his R&R recommending that this Court dismiss the Plaintiff's complaint with prejudice and deny as moot his application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 636(b)(1)(C), this Court is required to conduct a *de novo* review of those portions of the magistrate judge's findings to which objection is made. However, this Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. Thomas v. Arn, 474 U.S. 140, 150 (1985). Failure to file objections in a timely manner constitutes a waiver of *de novo* review and a plaintiff's right to appeal this Court's order. 28 U.S.C. § 636(b)(1)(C); Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989); United States v. Schronce, 727 F.2d 91, 94 (4th Cir. 1984). Moreover, "[w]hen a party does

make objections, but these objections are so general or conclusory that they fail to direct the district court to any specific error by the magistrate judge, *de novo* review is unnecessary.” Green v. Rubenstein, 644 F. Supp. 2d 723, 730 (S.D. W. Va. 2009) (citing Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)).

Pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule 72(b) of the Federal Rules of Civil Procedure, objections to Magistrate Judge Trumble’s R&R were due within fourteen days after being served with a copy of the same. The R&R was sent to the Plaintiff by certified mail on June 19, 2019. ECF No. 5. The Plaintiff filed his objections on July 1, 2019. ECF No. 8. Accordingly, the Court will review the portions of the R&R to which the Plaintiff objects *de novo*.

In the R&R, Magistrate Judge Trumble recommends that the Plaintiff’s complaint be dismissed with prejudice because it is “frivolous, an abuse of the judicial process, and barred by the doctrine of res judicata.” ECF No. 5 at 1. Specifically, Magistrate Judge Trumble found that most of the Plaintiff’s claims are “nothing more than such nutty, delusional, and wholly fanciful allegations as to be simply unbelievable and therefore frivolous under 28 U.S.C. § 1915(e)(2)(B)(i).” Id. at 8. To the extent that the Plaintiff alleges any claims that are not frivolous, Magistrate Judge Trumble found that such allegations “clearly relate to events that took place in Illinois.” Id. Lastly, Magistrate Judge Trumble found that the Plaintiff has filed at least 93 lawsuits in 17 different district courts, which bars the Plaintiff from reasserting these claims in this Court. Id.

In his objections, the Plaintiff “objects to his lawsuit being labeled frivolous.” ECF No. 8 at 1. However, from a review of the pleadings, it is clear that the majority of the Plaintiff’s claims are entirely irrational with no arguable basis in fact or law. For example, the Plaintiff states, “Grandmas kick ass,” [ECF No. 1 at 3], “The U.S. Department of

Justice does not deny the 9/11 Terrorist Attacks were engineered to initiate an epoch of perpetual war," [Id.], "Hillary Rodham Clinton lobbied for the 1994 Crime Bill in exchange for future campaign contributions from the private prison industry for her inevitable Presidential campaign," [Id. at 4], "Bill Clinton is a serial rapist," [Id. at 5], "Where shall Illinois 7<sup>th</sup> Circuit Judge John P. Schmidt be tried for public corruption," [Id. at 6], "Ally McBeal is an eccentric lawyer who is surrounded by eccentric lawyers," [Id. at 9], and so on. These claims have absolutely no basis in law or fact and are entirely frivolous. To the extent that the Plaintiff's claims are not frivolous [see ECF No. 1 at 1-2], the Plaintiff's claims are barred by res judicata. The Plaintiff does not dispute that he has filed at least 93 lawsuits related to the same subject matter. Nevertheless, even assuming res judicata did not bar the Plaintiff's claims, the proper venue for the Plaintiff's claims is the Central District of Illinois, as all of the complained events occurred in that district.

Therefore, upon careful review, the Court **ORDERS** that Magistrate Judge Trumble's Report and Recommendation [ECF No. 5] is **ADOPTED** for the reasons more fully stated therein. Accordingly, the Plaintiff's Complaint [ECF No. 1] is **DISMISSED WITH PREJUDICE**. The Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* [ECF No. 2] is **DENIED AS MOOT**.

The Clerk of Court is **DIRECTED** to **STRIKE** this case from the Court's active docket. The Clerk is further **DIRECTED** to mail a copy of this Order to the *pro se* Plaintiff by certified mail, return receipt requested.

**DATED:** July 9, 2019



GINA M. GROH  
CHIEF UNITED STATES DISTRICT JUDGE